

KIMBERLY A. BROOKS,)
)
Plaintiff,)
)
vs.) Case No. 4:06CV1067 HEA
)
BI-STATE DEVELOPMENT/METRO,)
)
Defendant.)

This matter is before the Court on defendant's Motion for More Definite Statement, [Doc. Number 7]. Plaintiff has not responded to the motion. For the reasons set forth below, the motion is granted.

Plaintiff filed this action on July 17, 2006 on a Court-provided form for actions under Title VII of the Civil Rights Act of 1964. On the form, plaintiff has checked that she was discriminated against based on her sex and race, however, contained within the body of the Complaint, plaintiff also contends that she was retaliated against for filing a worker's compensation claim. Plaintiff also submits 15 pages of documents wherein she attempts to detail the facts she contends gives rise to her case. These documents, however, are incoherent and fail to follow Rule 8 of the Federal Rules of Civil Procedure's requirement that the Complaint set forth a short and plain statement of the grounds upon which plaintiff is entitled to relief. As such, defendant is unable to formulate a defense to plaintiff's claims. The motion

for more definite statement is well taken. Plaintiff should set forth her claims in a manner which would advise defendant of the claims she asserts and the basis therefore. Plaintiff is also advised to submit with her Complaint a copy of any charges filed with the EEOC.

Accordingly,

IT IS HEREBY ORDERED that defendant's Motion for More Definite Statement, [Doc. Number 7], is granted.

IT IS FURTHER ORDERED that plaintiff shall file an Amended Complaint within 11 days from the date of this Order. Failure to file an Amended Complaint will result in a dismissal without prejudice.

Dated this 6th day of September, 2006.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE